

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOHN F. VODOPIA,	)	CASE NO. 1:07CV06214
	)	
Plaintiff,	)	JUDGE BARBARA S. JONES
	)	
vs.	)	MAGISTRATE JUDGE DEBRA C. FREEMAN
	)	
KONINKLIJKE PHILIPS ELECTRONICS	)	<b>ATTORNEY'S AFFIDAVIT CERTIFYING</b>
N.V., <i>et al.</i> ,	)	<b>THE EXHIBITS ATTACHED TO PHILIPS</b>
	)	<b>ELECTRONICS NORTH AMERICA</b>
Defendants.	)	<b>CORPORATION'S MEMORANDUM IN</b>
		<b>SUPPORT OF ITS MOTION TO DISMISS</b>

JENNIFER RYGIEL-BOYD, ESQ., being of full age, avers and states as follows:

1. I am an Associate at the law firm of Oglethorpe, Deakins, Nash, Smoak & Stewart, P.C. I submit this Affidavit to certify the exhibits attached to Philips Electronics North America Corporation's Memorandum in Support of Its Motion to Dismiss in the above-captioned matter.
2. I represent Philips Electronics North America Corporation in the above-captioned matter and am a member in good standing of the bar of this Court.
3. Attached hereto as Exhibit A is a true and accurate copy of John F. Vodopia's, attorney profile from the website of Scully Scott Murphy & Associates, accessed on September 18, 2007.
4. Attached hereto as Exhibit B is a true and accurate copy of the Department of Labor's Order dated March 1, 2007 dismissing the Complaint of John F. Vodopia (redacted to remove confidential information).
5. Attached hereto as Exhibit C is a true and accurate copy of a Cardiac Science Press Release dated April 26, 2007.

6. Attached hereto as Exhibit D is a true and accurate copy of all unreported cases cited in Philips Electronics North America Corporation's Memorandum in Support of its Motion to Dismiss.
7. Attached hereto as Exhibit E is a true and accurate copy of the Affidavit of Warren T. Oates, Jr., Senior Assistant Corporate Secretary, and Director, Legal Administration, of Philips Electronics North America Corporation, in Support of Defendants' Motion to Dismiss Complaint of John F. Vodopia.
8. Attached hereto as Exhibit F is a true and accurate copy of a letter from John F. Vodopia to Terri Wigger, Department of Labor dated June 13, 2006 regarding Request for Reconsideration and Petition for Hearing.
9. Attached hereto as Exhibit G is a true and accurate copy of a letter from John F. Vodopia to Terri Wigger, Department of Labor dated July 13, 2006.
10. Attached hereto as Exhibit H is a true and accurate copy of a letter from Terri Wigger, Department of Labor addressed to Counsel for Philips suspending the investigation of Koninklijke Philips Electronics dated June 2, 2006.
11. Attached hereto as Exhibit I is a true and accurate copy of an Order from the Department of Labor, Administrative Law Judge Ralph A. Romano continuing the trial and ordering that the Complainant serve objections and a request for hearing on the Respondent and that the parties shall confer and agree to a proposed protective order dated June 11, 2007.
12. Attached hereto as Exhibit J is a true and accurate copy of a Notice of Hearing from the Department of Labor, Administrative Law Judge Ralph A. Romano, dated April 13, 2007.

13. Attached hereto as Exhibit K is a true and accurate copy of Respondent's Request for Service of Complainant's Objections and Notice of Hearing filed by Counsel for Philips Electronics North America Corporation dated May 29, 2007.

I hereby aver that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

s/Jennifer Rygiel-Boyd  
Jennifer Rygiel-Boyd (JR 5676)

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